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Resolve, To Direct State Agencies To Develop Policies To Guide Employees When Accessing Private Woodland

Sec. 1 Policies. Resolved: That the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, the Department of Marine Resources, the Department of Agriculture, Food and Rural Resources and the Department of Conservation, referred to in this resolve as "the departments," shall develop written policies regarding entering private woodland for nonemergency purposes to collect information. The policies must address such items as when prenotification or permission is appropriate; when no notification or permission is needed; what constitutes notification or permission; motorized and nonmotorized access; and when woodland owners should be informed regarding potential uses of data or information collected. The departments may have different policies for accessing woodland for different purposes. This resolve does not interfere with the departments' enforcement authority; and be it further

Sec. 2 Feedback from woodland owners. Resolved: That, in developing the policies under section 1, the departments shall solicit feedback from woodland owners. The departments shall ensure that department employees are aware of and comply with the policies. The departments may alter these policies as necessary; and be it further

Sec. 3 No rulemaking. Resolved: That the policies required under this resolve do not constitute rules and the departments are not required to further undertake rulemaking for purposes of adopting these policies; and be it further

Sec. 4 Adoption. Resolved: That the policies required under this resolve must be adopted by January 1, 2010.

SUMMARY

This resolve directs the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, the Department of Marine Resources, the Department of Agriculture, Food and Rural Resources and the Department of Conservation to develop written policies regarding entering private woodland for nonemergency purposes to collect information.

The departments are required to solicit feedback from woodland owners in developing the policies. The policies developed by the departments are not rules and the departments are not required to adopt rules to implement the policies. The policies must be adopted by January 1, 2010.